

**R O B E R T   M A R I N E L L I**  
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December 30, 2016

**VIA ECF**

Hon. Peggy Kuo  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re:    *Cummins v. City of New York, et al.*, 15-CV-0096 (NG)(PK)

Your Honor:

I am one of the attorneys representing the plaintiff in the above-captioned action. I write to inform the Court that the parties have settled the issue of attorney's fees and costs under advisement at [23]. Accordingly, plaintiff withdraws his pending motion.

Plaintiff respectfully requests until January 27, 2017 to file the executed settlement stipulation. I thank Your Honor for consideration of this request.

Yours truly,

/s

Robert Marinelli

cc: ACC Daniel M. Braun  
Afsaan Saleem, Esq.